

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE: 1/30/07

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. RON STOKER, VICE CHAIR	/	
REP. JULIE FRENCH	/	
REP. GEORGE EVERETT	/	
REP. HOLLY RASER	/	
REP. ROGER KOOPMAN	/	
REP. DOUGLAS CORDIER	/	
REP. KRAYTON KERNS	/	
REP. ROBYN DRISCOLL	/	
REP. KEN PETERSON	/	
REP. JESSE O'HARA	/	
REP. TOM MCGILLVRAY	/	
REP. DEBORAH KOTTEL	/	
REP. JOHN WARD	/	
REP. BOB EBINGER	/	
REP. RICK JORE	/	
REP. DAVE GALLIK, VICE CHAIR	/	
CHAIRMAN DIANE RICE	/	



HOUSE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 312** (first reading copy -- white) **do pass as amended.**

Signed: _____

Diane Rice
Representative Diane Rice, Chair

And, that such amendments read:

1. Page 1, line 16.

Strike: "of the highest order"

- END -

Committee Vote:

Yes 9, No 8

Fiscal Note Required _____

201418SC.hjd

jsn
1/30/07



HOUSE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 321** (first reading copy -- white) **do pass as amended.**

Signed: *Diane Rice*
Representative Diane Rice, Chair

And, that such amendments read:

1. Page 1, line 11.

Strike: "and incompetent persons"

2. Page 1, line 12.

Strike: "or incompetent person"

3. Page 1, line 13.

Strike: "or incompetent person"

4. Page 1, line 15.

Strike: "or incompetent person"

5. Page 1, line 29.

Strike: "5 days"

Insert: "48 hours"

6. Page 1, line 30.

Strike: "5 days"

Insert: "48 hours"

7. Page 2, line 22.

Strike: "and incompetent persons"

- END -

Committee Vote:

Yes 11, No 6

Fiscal Note Required ____

201419SC.hjd

john
1/30/07



HOUSE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 247** (first reading copy -- white) **do pass as amended.**

Signed: *Diane Rice*
Representative Diane Rice, Chair

And, that such amendments read:

1. Title, line 4 through line 5.

Strike: "A MISDEMEANOR" on line 4 through "OFFENSES" on line 5

Insert: "CERTAIN CONVICTIONS"

2. Title, line 6.

Following: "MADE;"

Insert: "EXEMPTING CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; EXEMPTING PERSONS WITH COMMERCIAL DRIVER'S LICENSES;"

3. Page 1, line 19.

Strike: "Except as provided for in 61-8-725(4)(b)" on line 19

Insert: "Except for a person holding any of the commercial driver's licenses described in 61-5-112"

4. Page 1, line 20.

Following: "chapter" on line 20

Insert: ", other than convictions for driving under the influence of alcohol or drugs under part 4,"

- END -

Committee Vote:

Yes 13, No 4

Fiscal Note Required ____

201420SC.hjd

fla
1/30/07



HOUSE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 251** (first reading copy -- white) **do pass as amended.**

Signed: *Diane Rice*
Representative Diane Rice, Chair

And, that such amendments read:

1. Page 1, line 28 through page 2, line 1.

Following: "record" on line 28

Strike: remainder of line 28 through "date" on page 2, line 1

2. Page 3, line 2.

Following: the second "judge"

Insert: "or a city judge of record"

3. Page 3, line 4 through line 5.

Strike: subsection (4) in its entirety

- END -

Committee Vote:

Yes 15, No 2

Fiscal Note Required _____

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jbw
1/30/07

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE JUDICIARY COMMITTEE** TABLED HB 54, HB 229, HB 233, HB 250, HB 311, by motion,
on **Tuesday, January 30, 2007**.



(For the Committee)



(Chief Clerk of the House)

1:33 / 1/30

(Time)

(Date)

January 30, 2007

Pamela E. Schindler, Secretary

Phone: 444-4607



HOUSE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 324** (first reading copy -- white) **do pass.**

Signed: *Diane Rice*
Representative Diane Rice, Chair

- END -

Committee Vote:

Yes 14, No 3

Fiscal Note Required ____

201416SC.hjd

john
1/30/07



HOUSE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 329** (first reading copy -- white) **do pass as amended.**

Signed: *Diane Rice*
Representative Diane Rice, Chair

And, that such amendments read:

1. Page 1, line 27.

Following: "."

Insert: "An offender convicted of a first offense under this section shall also be fined an amount equivalent to the cost to the jurisdiction of confining the offender, as determined by that jurisdiction, in a maximum amount of \$60 for each day of confinement, for the minimum number of days for which the offender may be confined under this section."

2. Page 1, line 30.

Following: "."

Insert: "An offender convicted of a second offense under this section shall also be fined an amount equivalent to the cost to the jurisdiction of confining the offender, as determined by that jurisdiction, in a maximum amount of \$60 for each day of confinement, for the minimum number of days for which the offender may be confined under this section."

- END -

Committee Vote:

Yes 16, No 1

Fiscal Note Required ____

201422SC.hjd

jan
1/30/07

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO. HB 312 MOTION NO. 3
 MOTION: Do Pass As Amended

Sub Motion: Striking all Amendments

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. JULIE FRENCH		✓	
REP. GEORGE EVERETT	✓		
REP. HOLLY RASER		✓	
REP. ROGER KOOPMAN	✓		
REP. DOUGLAS CORDIER		✓	
REP. KRAYTON KERNS	✓		
REP. ROBYN DRISCOLL		✓	
REP. KEN PETERSON		✓	
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY	✓		
REP. DEBORAH KOTTEL	✓		
REP. JOHN WARD		✓	
REP. BOB EBINGER		✓	
REP. RICK JORE	✓		
REP. DAVE GALLIK, VICE CHAIR		✓	
CHAIRMAN DIANE RICE	✓		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO. HB312 MOTION NO. 47
 MOTION: Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. JULIE FRENCH		✓	
REP. GEORGE EVERETT	✓		
REP. HOLLY RASER		✓	
REP. ROGER KOOPMAN	✓		
REP. DOUGLAS CORDIER		✓	
REP. KRAYTON KERNS	✓		
REP. ROBYN DRISCOLL		✓	
REP. KEN PETERSON	✓		
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY	✓		
REP. DEBORAH KOTTEL		✓	
REP. JOHN WARD		✓	
REP. BOB EBINGER		✓	
REP. RICK JORE	✓		
REP. DAVE GALLIK, VICE CHAIR		✓	
CHAIRMAN DIANE RICE	✓		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO. HB321 MOTION NO. 2
MOTION: _____

Amendment

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	1		
REP. JULIE FRENCH	1		
REP. GEORGE EVERETT	1		
REP. HOLLY RASER		1	
REP. ROGER KOOPMAN	1		
REP. DOUGLAS CORDIER	1		
REP. KRAYTON KERNS	1		
REP. ROBYN DRISCOLL	1		
REP. KEN PETERSON		1	
REP. JESSE O'HARA	1		
REP. TOM MCGILLVRAY	1		
REP. DEBORAH KOTTEL	1		
REP. JOHN WARD	1		
REP. BOB EBINGER	1		
REP. RICK JORE		1	
REP. DAVE GALLIK, VICE CHAIR		1	
CHAIRMAN DIANE RICE	1		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO HB321 MOTION NO. 3
MOTION: Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. JULIE FRENCH		✓	
REP. GEORGE EVERETT	✓		
REP. HOLLY RASER		✓	
REP. ROGER KOOPMAN	✓		
REP. DOUGLAS CORDIER	✓		
REP. KRAYTON KERNS	✓		
REP. ROBYN DRISCOLL		✓	
REP. KEN PETERSON	✓		
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY	✓		
REP. DEBORAH KOTTEL		✓	
REP. JOHN WARD	✓		
REP. BOB EBINGER		✓	
REP. RICK JORE	✓		
REP. DAVE GALLIK, VICE CHAIR		✓	
CHAIRMAN DIANE RICE	✓		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO 229 MOTION NO. 2
MOTION: _____

Amend

<u>NAME</u>	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. JULIE FRENCH	✓		
REP. GEORGE EVERETT	✓		
REP. HOLLY RASER		✓	
REP. ROGER KOOPMAN	✓		
REP. DOUGLAS CORDIER		✓	
REP. KRAYTON KERNS	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEN PETERSON	✓		
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY	✓		
REP. DEBORAH KOTTEL		✓	
REP. JOHN WARD	✓		
REP. BOB EBINGER		✓	
REP. RICK JORE	✓		
REP. DAVE GALLIK, VICE CHAIR		✓	
CHAIRMAN DIANE RICE	✓		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO H6229 MOTION NO. 3

MOTION: Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		1	
REP. JULIE FRENCH		1	
REP. GEORGE EVERETT		1	
REP. HOLLY RASER		1	
REP. ROGER KOOPMAN		1	
REP. DOUGLAS CORDIER		1	
REP. KRAYTON KERNS		1	
REP. ROBYN DRISCOLL		1	
REP. KEN PETERSON	1		
REP. JESSE O'HARA		1	
REP. TOM MCGILLVRAY	1		
REP. DEBORAH KOTTEL		1	
REP. JOHN WARD		1	
REP. BOB EBINGER		1	
REP. RICK JORE		1	
REP. DAVE GALLIK, VICE CHAIR		1	
CHAIRMAN DIANE RICE		1	

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO. HB 247 MOTION NO. 3
MOTION: _____

Do Pass As Amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. JULIE FRENCH	✓		
REP. GEORGE EVERETT	✓		
REP. HOLLY RASER	✓		
REP. ROGER KOOPMAN		✓	
REP. DOUGLAS CORDIER	✓		
REP. KRAYTON KERNS	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEN PETERSON		✓	
REP. JESSE O'HARA		✓	
REP. TOM MCGILLVRAY	✓		
REP. DEBORAH KOTTEL	✓		
REP. JOHN WARD	✓		
REP. BOB EBINGER	✓		
REP. RICK JORE		✓	
REP. DAVE GALLIK, VICE CHAIR	✓		
CHAIRMAN DIANE RICE	✓		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO. HB250 MOTION NO. 1

MOTION: Do Pass

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. JULIE FRENCH		✓	
REP. GEORGE EVERETT		✓	
REP. HOLLY RASER		✓	
REP. ROGER KOOPMAN		✓	✓
REP. DOUGLAS CORDIER		✓	
REP. KRAYTON KERNS		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEN PETERSON		✓	
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY		✓	
REP. DEBORAH KOTTEL		✓	
REP. JOHN WARD		✓	
REP. BOB EBINGER		✓	
REP. RICK JORE		✓	
REP. DAVE GALLIK, VICE CHAIR	✓	✓	
CHAIRMAN DIANE RICE		✓	

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Recess
Table

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO 251 MOTION NO. 5
 MOTION: Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	1		
REP. JULIE FRENCH	1		
REP. GEORGE EVERETT	1		
REP. HOLLY RASER	1		
REP. ROGER KOOPMAN	1		1
REP. DOUGLAS CORDIER	1		
REP. KRAYTON KERNS		1	
REP. ROBYN DRISCOLL	1		
REP. KEN PETERSON		1	
REP. JESSE O'HARA	1		
REP. TOM MCGILLVRA	1		
REP. DEBORAH KOTTEL	1		
REP. JOHN WARD	1		
REP. BOB EBINGER	1		
REP. RICK JORE	1		
REP. DAVE GALLIK, VICE CHAIR	1		
CHAIRMAN DIANE RICE	1		

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 /
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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO 311 MOTION NO. 2
 MOTION: ~~110-133-11~~ Postpone Action

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		1	
REP. JULIE FRENCH	1		
REP. GEORGE EVERETT		1	
REP. HOLLY RASER	1		
REP. ROGER KOOPMAN		1	1
REP. DOUGLAS CORDIER	1		
REP. KRAYTON KERNS		1	
REP. ROBYN DRISCOLL	1		
REP. KEN PETERSON		1	
REP. JESSE O'HARA		1	
REP. TOM MCGILLVRAY		1	
REP. DEBORAH KOTTEL	1		
REP. JOHN WARD		1	
REP. BOB EBINGER	1		
REP. RICK JORE		1	
REP. DAVE GALLIK, VICE CHAIR	1		
CHAIRMAN DIANE RICE	1		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO. ~~HB 311~~ HB 311 MOTION NO. 3
 MOTION: _____
TABLE

<u>NAME</u>	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	1		
REP. JULIE FRENCH		1	
REP. GEORGE EVERETT	1		
REP. HOLLY RASER		1	
REP. ROGER KOOPMAN	1		1
REP. DOUGLAS CORDIER	1	1	
REP. KRAYTON KERNS	1		
REP. ROBYN DRISCOLL		1	
REP. KEN PETERSON	1		
REP. JESSE O'HARA	1		
REP. TOM MCGILLVRAY	1		
REP. DEBORAH KOTTEL		1	
REP. JOHN WARD	1		
REP. BOB EBINGER		1	
REP. RICK JORE	1		
REP. DAVE GALLIK, VICE CHAIR		1	
CHAIRMAN DIANE RICE	1		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/30/07 BILL NO 324 MOTION NO. 1
MOTION: _____

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. JULIE FRENCH	✓		
REP. GEORGE EVERETT	✓		
REP. HOLLY RASER	✓		
REP. ROGER KOOPMAN	✓		✓
REP. DOUGLAS CORDIER	✓		
REP. KRAYTON KERNS	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEN PETERSON	✓		
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY	✓		
REP. DEBORAH KOTTEL	✓		
REP. JOHN WARD		✓	
REP. BOB EBINGER	✓		
REP. RICK JORE		✓	
REP. DAVE GALLIK, VICE CHAIR	✓		
CHAIRMAN DIANE RICE		✓	

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE

MOTION:

1/30/07

BILL NO

HB 329

MOTION NO. 3

Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. JULIE FRENCH	✓		
REP. GEORGE EVERETT	✓		
REP. HOLLY RASER	✓		✓
REP. ROGER KOOPMAN	✓		✓
REP. DOUGLAS CORDIER	✓		
REP. KRAYTON KERNS	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEN PETERSON	✓		
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY	✓		
REP. DEBORAH KOTTEL	✓		
REP. JOHN WARD	✓		
REP. BOB EBINGER	✓		
REP. RICK JORE		✓	
REP. DAVE GALLIK, VICE CHAIR	✓		
CHAIRMAN DIANE RICE	✓		

16 / 1

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Pam Ator

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 250		X			
HB 281A	X				
HB 281A	X				
HB 311 Delay		X			
HB Sub T 311 Table	X				
HB 324	X				
HB 329 A	X				
HB 329 + A	X				

Rep

Rich Jones P. Koopman
(Signature)

Date

1/30/2007

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Gallik

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

HB 003201.adn		X
HB 32	X	
HB 35 concept Amendment		X
HB 003501.adn	X	
HB 003502.adn		
HB 35	X	
<hr/>		
HB 329 Sub Amend 01		X
HB 329	X	

Rep.

[Signature]

(Signature)

Date

1/12/07

**Montana House of Representatives
Visitors' Register**

Judiciary COMMITTEE Date 1/30/07
 Bill Nos. HB 334 Sponsor(s) Rep McChesney, McLeary, Thomas
402, 382
 PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Bill No.	Support	Oppose	Info.
Loran Frazier	MDT	HB334	X		
JANE HAMMAN	AAA Montana	HB382	✓		
Gary Amos to	Rickland, Fertinger Development Corp	HB334			
Ed Smith	Clerk - Supreme Court	HB402	✓		
Rex Renk	Deputy Clerk - ^{Supreme} Court	HB402	✓		
Andrea J. Olsen	MTLA	HB402	X		
Cary Hegreberg	Contractors Assn	334	X		
JAY Skoob	ACEC - Montana	334	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.